To: Wilson G. Bradshaw, Ph.D., President
From: Kimberly Diaz, President of Student Government
Via: J. Michael Rollo, Vice President for Student Affairs
Re: Action by FGCU Student Government
Date: January 11, 2011

The FGCU Student Government Finance Code is the official action of the Student Government on December 9, 2010 by vote of the Student Senate and subsequent signature by the President of Student Government. Pursuant to an action by the Board of Trustees, final approval of the internal procedures of Student Government was delegated to the University President.

The FGCU Student Government Finance Code outlines the process for management, allocation and expenditures of A&S funds by Student Government. It also provides direction for resolution of allegations of misfeasance and malfeasance by members of the university community.

The attached executed SG Finance Code will be effective upon the President’s approval and supersedes any SG Finance Code previously in use.

Approved: Wilson G. Bradshaw, Ph.D.  
President, Florida Gulf Coast University

Attachment: Executed Finance Code
Title: FGCU Student Government Finance Code

Date Introduced: November 23, 2010

Purpose: The Student Government Finance Code administers the allocation of Activity and Service (A&S) Fees at Florida Gulf Coast University. The Finance Code defines the financial policies established by Student Government; outlining the responsibilities, provisions and penalties related to the use of Activity and Service Fees at the University. The Finance Code is applicable to all individuals affiliated and entities receiving funding from A&S Fees at Florida Gulf Coast University. This bill will nullify the 2003 Finance Code.

Scope: See Attached.

Author(s): Rosa Mendoza, Matthew Stoner, Kolve Byrd, Sarah Diers, Mike Reed, Amanda Niemczyk, Laura Binetti, Julie Gleason, Nick Sessa, Jena Padilla (A&S Accountant)

Sponsor(s): Senator Rosa Mendoza (Business), Senator Matthew Stoner(Business), Senator Kolve Byrd (Professional Studies), Senator Sarah Diers (Arts and Sciences), Senator Mike Reed(Business), Senator Amanda Niemczyk(Business), Senator Laura Binetti (Business)

Vote: Yes 30 No 5 Abstain

Lauren Schuetz, Senate President 12-9-10
Kimberly Diaz, Student Body President 12-10-10
Michele Yovanovich, Dean of Students 1/18/11
Dr. Wilson Bradshaw, University President
## STATUTE II: THE FINANCE CODE

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Chapter 200: Purpose

200.1 The Finance Code defines the financial policies established by the Student Government to outline the responsibilities, provisions, and penalties related to the use of Activity and Service Fees at Florida Gulf Coast University.

200.2 The Finance Code is applicable to the Student Government and to all Registered Student Organizations. The Finance Code shall apply to University Departments, and other entities that are funded by A&S Fees only when a University Department or other entity is expending A&S Fees.

Chapter 201: Authority

201.1 The allocation and expenditure of A&S fees by Student Government is authorized by Section 1009.24(10)(b), Florida Statutes.

201.2 The responsibility to allocate A&S funds is vested in the Senate by Article II(6)(g), The Constitution of the Student Body, adopted by the Florida Gulf Coast University Board of Trustees as Florida Gulf Coast University Policy 4.001.

201.3 The Senate Appropriations Committee is responsible for conducting the Annual Budget Process as well as reviewing, and updating the Finance Code.

201.4 The Constitution of the Student Body Article III, Section VII authorizes the Student Body Treasurer to monitor the A&S accounts to determine and enforce compliance with the Finance Code.

201.5 Section 1009.24(a)(b) Florida statutes, authorizes the President of the University to exercise veto authority over all Activity and Service fees. The President may veto any line item or portion thereof within the budget. All unexpended A&S funds are subject to similar, final University presidential authority.

201.6 The Finance Code and all funded entities shall comply with applicable Federal, State and Local laws, as well as Florida Gulf Coast University Regulations and Policies and the Constitution of the Student Body.

Chapter 202: Definitions

202.1 Activity and Service Fee or A&S Fee: the fee collected as a component of tuition which is to be expended to benefit the student body.

202.2 Allocation Request: funds requested throughout the fiscal year for expenses not previously budgeted. The funding source for allocation requests is the A&S Unallocated Account or Reserve Account.
202.3 Annual Budget: the approved appropriation of A&S funds for a Fiscal Year.

202.4 Annual Budget Application (ABA): a document itemizing future expenses for the subsequent Fiscal Year.

202.5 Annual Budget Process: the method through which budgets are allocated to funded entities for the upcoming fiscal year.

202.6 A&S Unallocated Account: all unappropriated A&S funds.

202.7 Budget Allocation Request: funds requested through the Annual Budget Process.

202.8 Budget Transfer: a transfer of funds between pools within the same A&S account may not exceed $1,000 for Registered Student Organizations and $5,000 for University Departments.

202.9 Capital Expenditure: any property, equipment, fixtures or other tangible personal property, equal to or exceeding a cost of $1,000 and that is required to be tagged as inventory, pursuant to Florida Gulf Coast University Regulations.

202.10 Cash Account: an account where monetary funds, excluding all A&S funds, are deposited by Registered Student Organizations and/or Departments.

202.11 Contract: a mutual understanding between two or more parties regarding their relative rights and duties to past or future performances which include but are not limited to agreements, letters of intent, memoranda of understanding, purchase orders, leases, and license agreements.

202.12 Emergency: a situation that may cause damage to the property, and/or interference with the normal activities of a University entity and which; therefore, requires immediate attention and remedial action.

202.13 Fiscal Year: the financial period for Florida Gulf Coast University from July 1 to June 30.

202.14 Funded Entity: any Registered Student Organization, University Department, or other unit that receives A&S funds.

202.15 Pool Accounts: sub-group of related accounts aggregated at a higher level used to facilitate reporting and tracking of budget and expenditure transactions. Below is a description of the current sub-groups of related accounts:

a. 6100-Salaries and Benefits
b. 6200-Temporary Employment
c. 7300-Other Operating Expenses
d. 7300C-Charge Backs
e. 7300T-Travel
f. 7500 -Capital Expenditures

g. 7600 -Fixed Capital Outlay

202.16  
*Purchase Order:* a Procurement Services generated document that authorizes a purchase transaction. It sets forth the descriptions, quantities, prices, discounts, payment terms, funding source, date of performance or shipment, other associated terms and conditions, and identifies a specific vendor. When accepted by the vendor, it becomes a contract binding on both parties.

202.17  
*Purchase Order Request Form:* a detailed expenditure request to utilize previously allocated funds prepared on a form provided by the Division of Student Affairs.

202.18  
*Requisition:* A document generated by a department that requests the purchase of goods or services. It sets forth the descriptions, quantities, prices, date of performance or shipment, funding source, other pertinent information and identifies a preferable vendor.

202.19  
*Reserve Account:* a percentage of the unused and unencumbered funds from every A&S account remaining at the end of each fiscal year shall be set aside to be used for Emergencies only.

202.20  
*Student Organizations Cash Accounts:* Registered Student Organizations (RSO) are authorized, but not mandated, to establish operational cash accounts with the University. Operational cash accounts are funds held in custody for others by the University. RSO cash accounts must follow University cash collection and disbursement policies and procedures including review by internal and external auditors. These funds are different from Activity & Services fees that are collected as part of tuition and fees where Student Government allocates such funds. Revenue activities for cash accounts may include intramural sports events, fundraising activities, dues from members, etc.

Chapter 203: Funding Eligibility

203.1  
Funded Entities must be affiliated, recognized, or registered with Florida Gulf Coast University.

203.2  
Registered Student Organizations seeking funding must be registered and in good standing as determined by the Division of Student Affairs.

203.3  
Funded entities may not charge individual membership fees or dues. National and/or State affiliation memberships, if applicable, must be
voluntary, and should not be required in order to participate in any of the entity’s regular meetings, activities, or events.

Chapter 204: Responsibilities of All Funded Entities

204.1 Each entity funded by A&S fees is responsible for:

1. Obtaining a copy of the Finance Code from the Student Body Treasurer;

2. Signing and submitting a Statement of Understanding to the Student Body Treasurer during the Annual Budget Process;

3. Acting in compliance with the policies outlined in the Finance Code.

Chapter 205: A&S Unallocated Account

205.1 All additional funds beyond the Annual Budget established by the Student Government Senate shall be placed in the A&S Unallocated Account.

205.2 All funds carried forward from the previous fiscal year, with the exception of the amount allocated to the Reserve Account, shall be placed in the A&S Unallocated Account.

205.3 Funds may not be disbursed from the A&S Unallocated Account by any party without the authorization of the Student Government Senate in the form of an Allocation Request.

Chapter 206: Reserve Account

1. Five percent (5%) of the unused and unencumbered funds from every A&S account remaining at the end of each fiscal year will be placed into the Reserve Account.

2. The funds available in this account can be used for Emergencies only.

3. This account will have a maximum of $500,000.

Chapter 207: Allocation of Activity & Service Fees

207.1 The Student Government Senate is responsible for the disbursement of A&S funds through:

1. the Annual Budget process;

2. an Allocation Request; or

3. a Reallocation Request.

207.2 No disbursement of A&S Fees may be made by any party without the approval of the Student Government Senate.

207.3 The Florida Gulf Coast University Budget Office shall provide the Student Government with an estimate of the fiscal year's collections as needed.

207.4 If there is a shortfall in current year revenues, the Student Government Treasurer shall consult with the Florida Gulf Coast University Budget Office to determine the extent of the shortfall. The Student Government
Senate has the exclusive budgetary authority to reallocate funds as deemed necessary to match projected expenses with actual revenues.

207.5 Annual Budget Process

A. The Student Government Appropriations Committee shall make the Annual Budget Application (ABA) publicly available in the Fall Semester at least 30 calendar days before the submission deadline.

B. The submission deadline for the ABA shall be a specific date and time set annually by the Student Government Appropriations Committee and will be clearly marked on the application.

C. A staff member assigned by the Dean of Students will receive all ABAs and shall date and time stamp all ABAs upon receipt. ABAs submitted after the submission deadline will not be accepted under any circumstances.

D. Budget Hearings will be conducted by the Student Senate Appropriations Committee.

E. The Senate shall obtain a budget estimate for the upcoming fiscal year from the University Budget Office.

F. The Student Senate shall not adopt a budget that exceeds the budget estimate recommended by the University Budget Office. Should such a measure be adopted, it shall be considered invalid, and a new budget must be presented.

G. Upon adoption by the Student Senate and approval by the Student Body President, the Vice President of Student Affairs shall review the Annual A&S Budget Request and present it to the University President.
   a. The University President may exercise veto authority pursuant to Section 1009.24(10)

H. Once approved by the University President, or if not acted on within the fifteen (15) business days of presentment pursuant to Section 1009.24(10)(b) Florida Statute, the Annual A&S Budget shall become effective.

207.5.1 Budget Process

A. After submitting the ABA, each Funded entity will schedule a mandatory hearing with the Student Senate Appropriations Committee through the Student Government Executive Secretary.

B. The Student Senate Appropriations Committee shall make necessary amendments to the individual budget requests based on the request and available funding.
C. The Appropriations Committee shall present the Annual Budget to the Student Government Senate for review, amendment if necessary, and approval. It shall be passed by Senate prior to the Spring Student Government elections.

D. Upon the approval by the Student Government Senate, the Annual Budget shall be presented to the Student Body President for approval. The Student Body President has line-item veto authority. A line-item veto by the Student Body President may be overturned by the Student Government Senate with a two-thirds vote.

E. The Annual Budget approved by the Student Government must be presented to the University President in accordance with Section 1009.24(9)(b), Florida Statutes (See Appendix A). The University President has final veto authority over any line item or portion thereof within the budget.

F. The appropriations approved in the Annual Budget will be available at the start of the subsequent Fiscal Year.

207.6 Allocation Request Process

A. Allocation Requests may only be submitted to Student Government Senate in the form of a Senate bill.

B. The Senate shall have the authority to amend and approve all Allocation Requests.

C. The Student Body President has line-item veto authority for an allocation request. A line-item veto may be overturned by the Student Government Senate with a two-thirds vote.

D. All funds allocated from the A&S Unallocated Account and Reserve Account require the final approval of the University President or designee.

Chapter 208: Outside Revenue

208.1 A&S funds may not be used to generate funds, except for student-government-association-sponsored concerts, pursuant to Section 1009.24(9)(b), Florida Statute.

208.1.1 All external income generated through the use of A&S Fees must be deposited into their respective University cash accounts within five (5) calendar days of collection along with a detailed itemization.

208.2 If a RSO does not utilize the University cash account option, outside bank accounts are prohibited from using Florida Gulf Coast University’s name, address or Federal Tax Identification number. If such accounts are discovered, they will be closed by the University and referred to Internal Audit for investigation.
208.3 Cash Accounts with balances at the end of the Fiscal Year will carry over in their respective accounts to the following Fiscal Year.

208.4 Transfers of A&S Fees to internal cash accounts or lines are prohibited.

208.5 Failure to comply may result in a suspension of A&S fee disbursements.

Chapter 209: Internal Regulations

209.1 Expenditure Authorization for Registered Student Organizations

209.1.1 All expenditures of A&S Funds by Registered Student Organizations through purchase orders, payee invoices, or travel authorization forms require the written approval of the A&S Accountant and Student Body Treasurer before being submitted for administrative approval to the University President or designee.

209.1.2 The A&S Accountant and Student Body Treasurer have the authority to reject any expenditure that is not in accordance with the Finance Code, Student Body Constitution or Florida Statute. A decision by the Student Body Treasurer to reject any expenditure must have the written approval of the Student Body President.

209.1.3 All expenditure requests shall be authorized or rejected by the Student Body Treasurer within five (5) business days.

209.1.4 In the event that the Student Body Treasurer is not available for more than five (5) business days, the Student Body President shall approve or reject the expenditure.

209.1.5 Expenses that do not require the written approval of the Student Body Treasurer include freight, postage, and other overhead charges that must be paid for when incurred.

209.2 Expenditure Process

A. A Purchase Order along with an invoice shall be submitted by the Registered Student Organization to the A&S Accountant for budgetary approval.

B. The request will then be submitted to the Student Body Treasurer. The Student Body Treasurer may request price quotes if deemed necessary.

C. Request is reviewed and approved/rejected by Student Body Treasurer.

D. If approved, the requisition is forwarded to the Office of Student Involvement for signature. In the case of Sports Clubs, requisitions will be forwarded to the Campus Recreation Office.

E. The requisition is submitted to Procurement Services.

F. The Procurement Services shall issue a Purchase Order (P.O) number to the vendor upon receipt of an invoice.
Expense Reports

209.2.1 All university departments funded partially or entirely by A&S Fees are required to submit a detailed semester expense report of their A&S monies to the Student Body Treasurer. The expense report shall be submitted on or before the last day of each fall and spring semester.

209.2.2 The expense report shall identify each individual expense made from the A&S account in the semester, the amount of the expense, and Pool it was drawn from.

209.2.3 Failure on a University Department’s behalf to submit a semester expense report will be noted for consideration during the subsequent Annual Budget Process and/or the Allocation Request Process.

Chapter 210: Budget Transfers

All Budget Transfers of A&S funds within accounts shall comply with the following requirements:

210.1 Registered Student Organization

210.1.1 A budget transfer of $1,000 or less must be prepared on a Budget Transfer form and must include the written approval of the Student Body Treasurer. A Budget Transfer may be denied by the Student Body Treasurer if not in compliance with the Finance Code.

210.1.2 A budget transfer over $1,000 will be treated as a Reallocation Request which requires the approval of the Senate. A reallocation request must be in the form of a bill. For a budget transfer to be enacted, a copy of the approved Senate Bill must accompany the Budget Transfer Form submitted to the Florida Gulf Coast University Budget Office.

210.2 University Departments

210.2.1 A Budget Transfer of $5,000 or less requires a Budget Transfer form and must include the written approval of the Student Body Treasurer. A Budget Transfer may be denied by the Student Body Treasurer if not in compliance with the Finance Code.

210.2.2 A Budget Transfer over $5,000 will be treated as a Reallocation Request which requires the approval of the Senate. A reallocation request must be in the form of a bill. For a Budget Transfer to be enacted, a copy of the approved Senate Bill must accompany the Budget Transfer Form submitted to the Florida Gulf Coast University Budget Office.

Chapter 211: Travel

211.1 All travel funded partially or fully by A&S fees must be in the performance of official duties of University Departments, Registered Student Organizations and/or on behalf of the student body.
211.2 Students traveling are responsible for researching and choosing reasonable accommodations and travel means at the lowest possible cost.

211.3 Entities requesting travel allocations shall comply with the travel procedures outlined in Florida Gulf Coast University Policies and Procedures, Student Government law, Florida State Statutes, and any provisions set by the Division of Student Affairs.

211.4 No Registered Student Organization may request and/or spend more than $7,500 in A&S funds for travel per fiscal year.

Chapter 212: Personnel Policies

212.1 General

212.1.1 The funding of OPS and/or salary positions with A&S Fees must be approved by the Student Government Senate through the Annual Budget or an Allocation Request.

212.1.2 All newly requested A&S funded positions shall be evaluated by the Student Senate Appropriations Committee for funding consideration during the Annual Budget Process.

212.1.3 Florida Gulf Coast University regulations and policies governing employment will apply to the terms and conditions of employment for A&S funded positions.

212.2 OPS Positions

212.2.1 Each entity requesting A&S Fees to fund a new OPS position must submit a position description to the Student Senate Appropriations Committee during the Annual Budget Process.

212.3 Salary Positions

212.3.1 Each entity requesting A&S Fees to fund a new salary position must submit a position description to Student Senate Appropriations Committee during the Annual Budget Process.

212.3.2 Each entity must submit a detailed itemization of its operating budget that identifies all funding sources and their respective funding amounts for the current and subsequent fiscal year.

212.3.3 All salary positions funded by A&S Fees must be filled in accordance with Human Resource guidelines and the committee will be comprised of at least one-third (1/3) of currently enrolled students.

Chapter 213: Prohibited Expenditures

213.1 The Student Government and all entities funded by A&S Fees must comply with the Florida Gulf Coast University Purchasing policies and procedures. In addition, the following are prohibited expenditures of A&S Fees:
A. Alcohol
B. Tips/Gratuities
C. Direct or indirect contribution to a political candidate, political party, political committee or committee of continuous existence.
D. Rental of or expenditures towards functions hosted in private residences.
E. Use of A&S Fees to raise funds, except for Student Government sponsored concerts.
F. The transfer of A&S funds to outside revenue accounts and the use of A&S funds for personal benefit.

Chapter 214: Violations of the Finance Code and Misuse of Funds

214.1 A violation of the Finance Code may result in the suspension of an A&S Account as in accordance with University Policy.
APPENDIX A:
STATEMENT OF UNDERSTANDING

The use of Activity and Service (A&S) Fees is a privilege that has been entrusted to your organization by the Student Government of Florida Gulf Coast University. In order to ensure fiscal accountability, knowledge of the Student Government Finance Code and any other statutes therein, any funded entity must sign and submit this Statement of Understanding along with the Budget Application prior to receiving funding for the next fiscal year.

In this respect, we the undersigned herein have read, understand, and agree:

1. I have obtained a copy of the Finance Code.
2. I am responsible for and agree to abide by the laws and regulations outlined in the Finance Code and other Statutes within.
3. I will be completely honest in all dealings with the Florida Gulf Coast University Student Government.

Name of Funded Student Organization or University Department

________________________________________________________
Signature, Financial Officer                                      Date
________________________________________________________
Signature, President or Director                                 Date
________________________________________________________
Signature, Club Advisor (if applicable)                          Date
APPENDIX B:  
FLORIDA STATUTES  
TITLE XLVIII: K-20 EDUCATION CODE

Chapter 1001: K-20 Education Governance

1001.74  Powers and duties of university boards of trustees.  
(11) Each board of trustees shall establish fees pursuant to ss. 1009.24 and 1009.26.

Chapter 1009: Educational Scholarships, Fees, and Financial Assistance

1009.24  State university students fees.

(9)(a) Each university board of trustees shall establish a student activity and service fee on the main campus of the university. The university board may also establish a student activity and service fee on any branch campus or center. Any subsequent increase in the activity and service fee must be recommended by an activity and service fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the activity and service fee may occur only once each fiscal year and must be implemented beginning with the fall term. The State Board of Education is responsible for promulgating the rules and timetables necessary to implement this fee.

(b) The student activity and service fees shall be expended for lawful purposes to benefit the student body in general. This shall include, but shall not be limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion. The fund may not benefit activities for which an admission fee is charged to students, except for student-government-association-sponsored concerts. The allocation and expenditure of the fund shall be determined by the student government association of the university, except that the president of the university may veto any line item or portion thereof within the budget when submitted by the student government association legislative body. The university president shall have 15 school days from the date of presentation of the budget to act on the allocation and expenditure recommendations, which shall be deemed approved if no action is taken within the 15 school days. If any line item or portion thereof within the budget is vetoed, the student government association legislative body shall within 15 school days make new budget recommendations for expenditure of the vetoed portion of the fund. If the university president vetoes any line item or portion thereof within the new budget revisions, the university president may reallocate by line item that vetoed portion to bond obligations guaranteed by activity and service fees. Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over
and remain in the student activity and service fund and be available for allocation and expenditure during the next fiscal year.

1009.26 Fee waivers.

(1) School districts and community colleges may waive fees for any fee-nonexempt student. The total value of fee waivers granted by the school district or community college may not exceed the amount established annually in the General Appropriations Act. Any student whose fees are waived in excess of the authorized amount may not be reported for state funding purposes. Any school district or community college that waives fees and requests state funding for a student in violation of the provisions of this section shall be penalized at a rate equal to 2 times the value of the full-time student enrollment reported.

(2) A state university may waive any or all application, tuition, and related fees for persons who supervise student interns for a state university.

(3) A university board of trustees is authorized to permit full-time university employees who meet academic requirements to enroll for up to 6 credit hours of tuition-free courses per term on a space-available basis.

(4) A state university may waive any or all application, tuition, and related fees for persons 60 years of age or older who are residents of this state and who attend classes for credit. No academic credit shall be awarded for attendance in classes for which fees are waived under this subsection. This privilege may be granted only on a space-available basis, if such classes are not filled as of the close of registration. A university may limit or deny the privilege for courses which are in programs for which the State Board of Education has established selective admissions criteria. Persons paying full fees and state employees taking courses on a space-available basis shall have priority over those persons whose fees are waived in all cases where classroom spaces are limited.

(5) Any graduate student enrolled in a state-approved school psychology training program shall be entitled to a waiver of registration fees for internship credit hours applicable to an internship in the public school system under the supervision of a Department of Education certified school psychologist employed by the school system.

(6) The State Board of Education may establish rules to allow for the waiver of out-of-state fees for nondegree-seeking students enrolled at a state university if the earned student credit hours generated by such students are nonrefundable and the direct cost for the program of study is recovered from the fees charged to all students.

(7) The spouse of a deceased state employee is entitled, when eligible for the payment of student fees by the state as employer pursuant to s. 440.16, in lieu of such payment, to a full waiver of student fees for up to 80 semester hours in any community college.

(8) Fees shall be waived for certain members of the active Florida National Guard pursuant to s. 250.10(8).
The Florida Statutes are located on line at:

http://www.flsenate.gov/Statutes/index.cfm?Mode=View